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Freedom of Information and Privacy Acts request:

To: Information and Privacy Coordinator
Central Intelligence Agency
Washington, DC 20505

This is a request for records under the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552 and the Privacy Act, 5 U.S.C. § 552a. This request should be considered under both statutes to maximize the release of records.

REQUESTER INFORMATION

Name: Jason Leopold
Address: (b)(6)
Email (b)(6)

RECORDS SOUGHT

I request disclosure of any records constituting, discussing, or mentioning the Central Intelligence Agency's (CIA) internal study of its detention and interrogation program (the same internal study that the Senate Intelligence Committee asked to be provided to it, as described in the attached article)

RECEIVED 06 JAN 2014

ADDITIONAL DESCRIPTIVE INFORMATION

[The New York Times editorial board, in a December 19, 2013 editorial headlined "Release the Torture Report," noted that on December 17, 2013, during a confirmation hearing for Caroline Krass before the Senate Select Committee on Intelligence, Sen. Mark Udall revealed the "existence of an internal study done by the C.I.A. under [Director, Central Intelligence John] Brennan's predecessor, Leon Panetta, that contradicted the agency's response to the Senate study. Mr. Udall said he believed it was 'consistent with the Intelligence's Committee's report.' Mr. Udall said: 'This raises fundamental questions about why a review the C.I.A. conducted internally years ago — and never provided to the committee — is so different from the C.I.A.'s formal response to the committee study.'" [1]

[1] http://www.nytimes.com/2013/12/20/opinion/release-the-torture-reports.html?_r=0

Approved for Release: 2021/12/06 C06143198

Approved for Release: 2021/12/06 C06143198

Reuters reported on December 18, 2013, "The [CIA internal] report's existence was not public knowledge until Udall questioned Krass during the hearing." [2]

According to The Hill, Udall has threatened to put a hold on Krass's nomination to block it until the CIA's secret study is provided to the Senate Intelligence Committee. Udall further said, according to The Hill:

"[T]he agency's internal study confirms the findings of the Senate Intelligence panel's 6,000-page report criticizing the George W. Bush administration-era interrogation techniques, despite the CIA's statements claiming the congressional report had factual problems."

"It appears that this review, which was initiated by former Director [Leon] Panetta, is consistent with the Intelligence Committee's report, but, amazingly, it conflicts with the official CIA response to the committee's report," Udall said.

"And if this is true, it raises fundamental questions about why a review the CIA conducted internally years ago and never provided to the committee is so different from the CIA's formal written response to the committee's study." [3]

The CIA's Rendition, Detention and Interrogation program (RDI) involved kidnapping suspected terrorists and transporting them to secret CIA black site prisons around the world and subjecting them to controversial interrogation techniques that human rights groups said rose to the level of torture.

REQUEST FOR EXPEDITED PROCESSING

Under 32 C.F.R. 1900.34(c), a request is to be given expedited processing when "a compelling need is established to the satisfaction of the Agency." A compelling need is deemed to exist "[w]hen the request is made by a person primarily engaged in disseminating information and the information is relevant to a subject of public urgency concerning an actual or alleged Federal government activity." 32 C.F.R. 1900.34(c)(2).

I am seeking expedited treatment for this request.

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[2] http://www.reuters.com/article/2013/12/18/us-usa-congress-cia-idUSBRE9BH00U20131218

[3] http://thehill.com/blogs/ballot-box/193483-sen-mark-udall-demands-cia-study-on-torture

Approved for Release: 2021/12/06 C06143198

Approved for Release: 2021/12/06 C06143198

1. *The requested information is relevant to a subject of public urgency concerning an actual or alleged Federal government activity.*

The requested information involves an actual Federal government activity –the CIA's detention and interrogation program – and there exists an urgent need to inform the public about this activity. There is an urgent need for the information requested because the internal CIA study requested may resolve possible questions about the government's integrity. A statement by Vice President Joe Biden illustrates how questions about the CIA's detention and interrogation program involve questions of integrity which affect public confidence. Speaking about the program, he said: "I think the only way you excise the demons is you acknowledge, you acknowledge exactly what happened straightforward."[4] He explained his position that issues related to torture must be laid out before a country can move beyond them, citing the war crimes committed in the Balkans and other acts of torture overseas. "The single best thing that ever happened to Germany were (sic) the war crimes tribunals, because it forced Germany to come to its milk about what in fact has happened . . . That's why they've become the great democracy they've become." *Id.*

The issue of whether the CIA's interrogation and detention program resulted in valuable intelligence, or has merely undermined public confidence and resulted in false confessions continues to be a subject of fierce debate.

Additionally, the urgency of this request is underscored by the fact that military commissions are currently taking place at Guantanamo involving five 9/11 suspects, including Khalid Sheikh Mohammed ("KSM"), the alleged mastermind of the 9/11 attacks, and Abd al Rahim al Nashiri, the alleged mastermind of the USS Cole bombing. Nashiri and KSM were held in secret prisons operated by the CIA and were subjected to enhanced interrogation techniques described in the Senate's report. Any mention of their treatment while in custody of the CIA has been ruled to be off-limits by a military judge presiding over the tribunals, thereby depriving the public from knowing whether their admissions to alleged crimes were tainted by torture.[5] The release of the internal CIA study will help resolve that issue.

2. *I am a person primarily engaged in disseminating information*

I am a full-time member of the news media and as a contributor to Al Jazeera America,[6] an Editor at Large for the online publication, The Public Record,[7] and a widely published

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[4] http://www.rollcall.com/news/biden_backs_public_disclosure_of_torture_report-224389-1.html

[5] http://www.csmonitor.com/USA/Justice/2012/1212/9-11-trial-Any-mention-of-torture-is-classified-military-judge-rules

[6] http://america.aljazeera.com/profiles/l/jason-leopold.html

Approved for Release: 2021/12/06 C06143198

Approved for Release: 2021/12/06 C06143198

investigative reporter who has had his journalism published in dozens of domestic and international publications, I am a person primarily engaged in disseminating information.

3. *Certification pursuant to 32 C.F.R. 1900.34(c)*

I certify the foregoing to [redacted] best of my knowledge and belief.

Jason Leopold

(b)(6)

INSTRUCTIONS REGARDING SEARCH

1. *Instructions Regarding "Leads":*

As required by the relevant case law, the CIA should follow any leads it discovers during the conduct of its searches and perform additional searches when said leads indicate that records may be located in another system. Failure to follow clear leads is a violation of FOIA.

2. *Request for Public Records:*

Please search for any records even if they are already publicly available.

3. *Request for Electronic and Paper/Manual Searches:*

I request that searches of all electronic and paper/manual indices, filing systems, and locations for any and all records relating or referring to the subject of my request be conducted. I further request that the CIA conduct a search of its "soft files."

4. *Request for Search of Filing Systems, Indices, and Locations:*

I request that the CIA conduct a search of all of its directorates. Specifically, I request that the search conducted by the CIA include, but not be limited to, the following filing systems, indices, and locations: Training Records; Center for the Study of Intelligence (CSI) Records; CIA Declassifications Center (CDC) External Liaison Records; Manuscript Review Records;

[7] www.pubrecord.org

Approved for Release: 2021/12/06 C06143198

Approved for Release: 2021/12/06 C06143198

Security Operations Records; Information Release Records; Official Personnel Files; Personnel Security Records; Polygraph Records; Office of the Director Action Center Records; Office of General Counsel Records; Congressional Liaison Records; Public Affairs Records; Inspector General Research Records; Inspector General Investigation and Interview Records; Office of the Deputy Director of Central Intelligence (DDCI) for Community Management Records; Directorate of Science & Technology (DS&T) Private Sector Contact Information; Alumni Communications Records; Directorate of Operations Records; Academic and Business Contact Records; Customer Relations Records; Research System Records; Intelligence Analysis Records; Guest Speaker Records; National Intelligence Council (NIC) Records; Arms Control Records; CREST; employees' official files; CIA's daily diary of its activity; and monthly progress reports.

Additionally, please search *all* of your indices, filing systems, and locations, including those I have not specified by name and those of which I may not be aware.

5. *Request regarding Photographs and other Visual Materials:*

I request that any photographs or other visual materials responsive to my request be released to me in their original or comparable forms, quality, and resolution. For example, if a photograph was taken digitally, or if the CIA maintains a photograph digitally, I request disclosure of the original digital image file, not a reduced resolution version of that image file nor a printout and scan of that image file. Likewise, if a photograph was originally taken as a color photograph, I request disclosure of that photograph as a color image, not a black and white image. Please contact me for any clarification on this point.

6. *Request for Duplicate Pages:*

I request disclosure of any and all supposedly "duplicate" pages. Scholars analyze records not only for the information available on any given page, but also for the relationships between that information and information on pages surrounding it. As such, though certain pages may have been previously released to me, the existence of those pages within new context renders them functionally new pages. As such, the only way to properly analyze released information is to analyze that information within its proper context. Therefore, I request disclosure of all "duplicate" pages.

7. *Request for Search of Operational Files:*

I request that in conducting its search, the CIA include "operational files," as that term is defined in 50 U.S.C. § 431(b).

Approved for Release: 2021/12/06 C06143198

Approved for Release: 2021/12/06 C06143198

8. *Request to Search Emails:*

Please search for emails relating to the subject matter of my request.

9. *Request for Search of Records Transferred to Other Agencies:*

I request that in conducting its search, the CIA disclose releasable records even if they are available publicly through other sources outside the CIA, such as NARA.

10. *Regarding Destroyed Records*

If any records responsive or potentially responsive to my request have been destroyed, my request include, but is not limited to, any and all records relating or referring to the destruction of those records. This includes, but is not limited to, any and all records relating or referring to the events leading to the destruction of those records.

INSTRUCTIONS REGARDING SCOPE AND BREADTH OF REQUESTS

Please interpret the scope of this request broadly. The CIA is instructed to interpret the scope of this request in the most liberal manner possible short of an interpretation that would lead to a conclusion that the request does not reasonably describe the records sought.

EXEMPTIONS AND SEGREGABILITY

I call your attention to President Obama's 21 January 2009 Memorandum concerning the Freedom of Information Act, in which he states:

> All agencies should adopt a presumption in favor of disclosure, in order to renew their commitment to the principles embodied in FOIA [....] The presumption of disclosure should be applied to all decisions involving FOIA.[8]

In the same Memorandum, President Obama added that government information should not be kept confidential "merely because public officials might be embarrassed by disclosure, because errors and failures might be revealed, or because of speculative or abstract fears."

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[8] President Barack Obama, "Memorandum for the Heads of Executive Departments and Agencies, Subject: Freedom of Information Act," 21 January 2009; <http://www.whitehouse.gov/the_press_office/FreedomofInformationAct/.>

Approved for Release: 2021/12/06 C06143198

Approved for Release: 2021/12/06 C06143198

Finally, President Obama ordered that "The Freedom of Information Act should be administered with a clear presumption: In the case of doubt, openness prevails."

Nonetheless, if any responsive record or portion thereof is claimed to be exempt from production, FOIA/PA statutes provide that even if some of the requested material is properly exempt from mandatory disclosure, all segregable portions must be released. If documents are denied in part or in whole, please specify which exemption(s) is (are) claimed for each passage or whole document denied. Please provide a complete itemized inventory and a detailed factual justification of total or partial denial of documents. Specify the number of pages in each document and the total number of pages pertaining to this request. For "classified" material denied, please include the following information: the classification (confidential, secret or top secret); identity of the classifier; date or event for automatic declassification or classification review or downgrading; if applicable, identity of official authorizing extension of automatic declassification or review past six years; and, if applicable, the reason for extended classification beyond six years.

In excising material, please "black out" the material rather than "white out" or "cut out." I expect, as provided by FOIA, that the remaining non-exempt portions of documents will be released.

Please release all pages regardless of the extent of excising, even if all that remains are the stationery headings or administrative markings.

In addition, I ask that your agency exercise its discretion to release records which may be technically exempt, but where withholding serves no important public interest.

ADDITIONAL INSTRUCTIONS REGARDING REQUEST

Please produce all records with administrative markings and pagination included.

Please send a memo (copy to me) to the appropriate units in your office to assure that no records related to this request are destroyed. Please advise of any destruction of records and include the date of and authority for such destruction.

FORMAT

I request that any releases stemming from this request be provided to me in digital format (soft-copy) on a compact disk or other like media.

FEE CATEGORY AND REQUEST FOR A FEE WAIVER

I am willing to pay any reasonable expenses associated with this request, however, as the purpose of the requested disclosure is in full conformity with the statutory requirements for a waiver of fees, I formally request such a waiver. I request a waiver of all costs

Approved for Release: 2021/12/06 C06143198

Approved for Release: 2021/12/06 C06143198

pursuant to 5 U.S.C. §552(a)(4)(A)(iii) ("Documents shall be furnished without any charge ... if disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester."). Disclosure in this case meets the statutory criteria, and a fee waiver would fulfill Congress's legislative intent in amending FOIA. See *Judicial Watch, Inc. v. Rossotti*, 326 F.3d 1309, 1312 (D.C. Cir. 2003) ("Congress amended FOIA to ensure that it be 'liberally construed in favor of waivers for noncommercial requesters.'").

Under 32 C.F.R. 1900.13(b), "Records will be furnished without charge or at a reduced rate whenever the Agency determines . . . (2) That it is in the public interest because it is likely to contribute significantly to the public understanding of the operations or activities of the United States Government and is not primarily in the commercial interest of the requester."

Should my request for a fee waiver be denied, I request that I be categorized as a member of the news media for fee purposes pursuant to 32 C.F.R. 1900.02(h)(3). According to 5 U.S.C. § 552(a)(4)(A)(ii), which codified the ruling of *Nat'l Security Archive v. Dep't of Defense*, 880 F.2d 1381 (D.C. Cir. 1989), the term "a representative of the news media" means any person or entity that gathers information of potential interest to a segment of the public, uses its editorial skills to turn the raw materials into a distinct work, and distributes that work to an audience. This is consistent with the definition provided in 32 C.F.R. 1900.02(h)(3)

As the legislative history of FOIA reveals, "It is critical that the phrase 'representative of the news media' be broadly interpreted if the act is to work as expected. . . . In fact, any person or organization which regularly publishes or disseminates information to the public . . . should qualify for waivers as a 'representative of the news media.'" 132 Cong. Rec. S14298 (daily ed. Sept. 30, 1986) (emphasis in original quotation); and 2) "A request by a reporter or other person affiliated with a newspaper, magazine, television or radio station, or other entity that is in the business of publishing or otherwise disseminating information to the public qualifies under this provision." 132 Cong. Rec. H9463 (Oct. 8, 1986) (emphasis in original quotation)). Therefore, in accordance with the Freedom of Information Act and relevant case law, I, Jason Leopold, should be considered a representative of the news media.

The CIA's regulations list six factors which the agency must consider in assessing whether a requester is entitled to a fee waiver: "(i) Whether the subject of the request concerns the operations or activities of the United States Government; and, if so, (ii) Whether the disclosure of the requested documents is likely to contribute to an understanding of United States Government operations or activities; and, if so, (iii) Whether the disclosure of the requested documents will contribute to public understanding of United States Government operations or activities; and, if so, (iv) Whether the disclosure of the requested documents is likely to contribute significantly to public understanding of United States Government operations and activities; and (v) Whether the requester has a commercial interest that would be furthered by the requested disclosure; and, if so, (vi) Whether the disclosure is primarily in the commercial interest of the requester." 32 C.F.R. 1900.13(b)(2). Because the disclosure of the requested documents would contribute significantly to public

Approved for Release: 2021/12/06 C06143198

Approved for Release: 2021/12/06 C06143198

understanding of United States Government operations and activities and I do not have a commercial interest in the requested disclosure, my request for a fee waiver must be granted.

I. DISCLOSURE OF THE REQUESTED RECORDS IS IN THE PUBLIC INTEREST BECAUSE IT IS LIKELY TO CONTRIBUTE SIGNIFICANTLY TO THE PUBLIC UNDERSTANDING OF THE OPERATIONS AND ACTIVITIES OF THE GOVERNMENT.

A. The subject of the requested records concerns the operations and activities of the CIA and broader government. The subject of the requested records concerns identifiable operations and activities of the CIA and broader government, specifically the CIA's controversial detention and interrogation program.

B. The disclosure is likely to contribute to an understanding of government operations and activities because the disclosable portions of the requested records will be meaningfully informative about those operations and activities. The vast majority of disclosable information is not already in the public domain, in either a duplicative or a substantially identical form, and therefore the disclosure would add substantial new information to the public's understanding of the CIA's controversial detention and interrogation program.

The overwhelming preponderance of records I need to conduct my study are in the possession of the CIA and not in the public domain.

C. The disclosure of the requested records will contribute to the increased understanding of a broad audience of persons interested in the subject, rather than merely my own individual understanding. Further, I will be collaborating with professionals who have great expertise in the subject area, and I have the ability and intention to effectively convey information to the public.

As explained herein in more detail, the audience likely to be interested in the subject is broad, and includes, historians of modern American government, politics, culture, and national security; journalists reporting on American politics, government, national security, and society; civil liberties attorneys; and the general public.

i) I firmly intend to analyze the requested records in order to facilitate significant expansion of public understanding of government operations. I am well qualified to perform this analysis.

I spent three and a half years as lead investigative reporter of Truthout.org, a nonprofit newsroom. I am currently an investigative journalist under contract with Al Jazeera America. As a regular contributor to Al Jazeera America, I cover Guantanamo, national security, counterterrorism, civil liberties, human rights and open government. Additionally, I am editor-at-large for The Public Record. My reporting has previously appeared in The Nation, The Wall Street Journal, The Financial Times, Salon, CBS Marketwatch, The Los Angeles Times, and numerous other domestic and international publications.

Approved for Release: 2021/12/06 C06143198

Approved for Release: 2021/12/06 C06143198

As should be clear from the above, I have the ability and firm intention to disseminate to the public significant expansions of understanding of government operations based on my analysis of the requested disclosures.

ii) Additional Note on Journalistic Research and the Public Interest:

The case law on this matter is emphatically clear that journalistic inquiry alone satisfies the FOIPA public interest requirement. *National Treasury Employees Union v. Griffin*, 811 F.2d, 644, 649 (D.C. Cir. 1987).

Further, as articulated in the amendments to FOIA established by the OPEN Government Act of 2007, I solidly meet the applicable definition of "a representative of the news media[.]" The OPEN Government Act of 2007 established that for FOIA purposes,

> 'a representative of the news media' means any person or entity that gathers information of potential interest to the public, uses its editorial skills to turn the raw materials into a distinct work, and distributes that work to an audience. 552(a)(4)(A)(ii)

Based on my completed and firmly intended research, analysis, and information dissemination activities detailed at length herein, I clearly satisfy this description.

Further, the OPEN Government Act of 2007's definition of "a representative of the news media" is taken nearly verbatim from language used by the United States Court of Appeals, District of Columbia Circuit in the court's 1989 FOIA fee waiver-oriented ruling in *National Security Archive v. Department of Defense*.[9] As the court also relatedly found in *National Security Archive v. Department of Defense*, a requester need not already have published numerous works in order to qualify as a representative of the news media. The court found that the express "intention" to publish or disseminate analysis of requested documents amply satisfies the above noted requirement for journalists to "publish or disseminat[e] information to the public." *National Security Archive v. Department of Defense*, 880 F.2d 1386, (D.C. Cir, 1989). I have expressed a firm intention to continue disseminating significant analysis of documents obtained through FOIPA requests. And I have demonstrated my ability to continue disseminating significant analysis of documents obtained through FOIPA requests.

Therefore, in that I am "person or entity that gathers information of potential interest to the public, uses its editorial skills to turn the raw materials into a distinct work, and distributes that work to an audience," I solidly meet the applicable definition of "a

[9] The language in *National Security Archive v. Department of Defense* reads, "A representative of the news media is, in essence, a person or entity that gathers information of potential interest to a segment of the public, uses its editorial skills to turn raw materials into a distinct work, and distributes that work to an audience." *National Security Archive v. Department of Defense*, 880 F.2d 1381, 1387 (D.C. Cir, 1989).

Approved for Release: 2021/12/06 C06143198

Approved for Release: 2021/12/06 C06143198

representative of the news media." As such, I have again more than satisfied the requirement for a fee waiver.[10]

D. The disclosure of the requested records is likely to contribute "significantly" to public understanding of government operations and activities because disclosure would enhance to a significant extent the public's understanding of the subject in question as compared to the level of public understanding existing prior to the disclosure

i) See above Section I.

ii) As noted above, the overwhelming preponderance of records I need to conduct my study are in the possession of the CIA and not in the public domain.

II. DISCLOSURE OF THE INFORMATION IS NOT PRIMARILY IN MY COMMERCIAL INTEREST.

Any commercial interest that I have which would be furthered by the requested disclosure is *de minimis.*

I am requesting the release of records to analyze for use in the dissemination of news articles. Though journalists do get paid for writing news articles, payment is not the primary purpose for which such work is conducted. As the D.C. Circuit explained in *National Treasury Employees Union v. Griffin*, 811 F.2d, 644, 649 (D.C. Cir. 1987), "While private interests clearly drive journalists (and journals) in their search for news, they advance those interests almost exclusively by dissemination of news, so that the public benefit from news distribution necessarily rises with any private benefit. Thus it is reasonable to presume that furnishing journalists with information will primarily benefit the general public[.]"

The disclosure of records will significantly benefit the public interest, and this benefit to the public is of vastly greater magnitude than my minimal commercial interest.

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[10] Though the courts have subsequently narrowed the applicability of the *National Security Archive v. Department of Defense* ruling in terms of requirements to qualify as a representative of the news media (most notably in *Judicial Watch, Inc. v. United States Department Of Justice*), I still solidly satisfy even this narrowed understanding of "representative of the news media." In contrast to Judicial Watch, I have clearly demonstrated a firm intention to disseminate to the public my analysis of requested information. I have identified articles, an exhibit, and a book within which I firmly intend to, and in some cases already have, disseminated my analysis of requested information. I have identified other news media representative whom I have already fruitfully provided my analysis of requested information, and with whom I firmly intend to continue collaborating on future disseminations of requested information. Ultimately, in contrast to Judicial Watch, which the court found to "merely make available [] the requested information," I have established "a firm intention to disseminate" my analysis of the requested information. See *Judicial Watch, Inc. v. United States Department of Justice*, 185 F.Supp. 2d 54, 59 (D.D.C. 2002).

Approved for Release: 2021/12/06 C06143198

Approved for Release: 2021/12/06 C06143198

The disclosure of records will significantly benefit the public interest, and this benefit to the public is of vastly greater magnitude than my minimal commercial interest.

Additionally, the courts and the legislature have been deeply invested in ensuring that FOIPA duplication and search fees are not used by government agencies to deliberately or otherwise thwart legitimate scholarly and journalistic research:

This was made clear in *Better Government Ass'n v. Department of State,* in which the court ruled that, "The legislative history of the fee waiver provision reveals that it was added to FOIA 'in an attempt to prevent government agencies from using high fees to discourage certain types of requesters, and requests,' in particular those from journalists, scholars and nonprofit public interest groups." *Better Government Ass'n v. Department of State*, 780 F.2d 86, 89 (D.C. Cir. 1986).

This point is further elaborated in *Ettlinger v. FBI,*

> The legislative history of the FOIA clearly indicates that Congress intended that the public interest standard for fee waivers embodied in 5 U.S.C. § 552(a)(4)(A) be liberally construed. In 1974, Congress added the fee waiver provision as an amendment to the FOIA in an attempt to prevent government agencies from using high fees to discourage certain types of requesters and requests. The 1974 Senate Report and the sources relied on in it make it clear that the public interest/benefit test was consistently associated with requests from journalists, scholars and non-profit public interest groups. There was a clear message from Congress that "this public-interest standard should be liberally construed by the agencies." The 1974 Conference Report, in which differences between the House and Senate amendments were ironed out, retained the Senate-originated public-interest fee waiver standard and further stated "the conferees intend that fees should not be used for the purpose of discouraging requests for information or as obstacles to disclosure of requested information." Further evidence of congressional intent regarding the granting of fee waivers comes from a 1980 Senate Subcommittee report. The report stated that "excessive fee charges . . . and refusal to waive fees in the public interest remain . . . 'toll gates' on the public access road to information." The report noted that "most agencies have also been too restrictive with regard to granting fee waivers for the indigent, news media, scholars . . ." and recommended that the Department of Justice develop guidelines to deal with these fee waiver problems. The report concluded: The guidelines should recommend that each agency authorize as part of its FOIA regulations fee waivers for the indigent, the news media, researchers, scholars, and non-profit public interest groups. The guidelines should note that the presumption should be that requesters in these categories are entitled to fee waivers, especially if the requesters will publish the information or otherwise make it available to the general public.

The court, in its *Ettlinger v. FBI* decision, continued that on 18 December 1980, a

Approved for Release: 2021/12/06 C06143198

Approved for Release: 2021/12/06 C06143198

policy statement was sent to the heads of all federal departments and agencies accompanied by a cover memorandum from then United States Attorney General Civiletti which stated that he had "concluded that the Federal Government often fails to grant fee waivers under the Freedom of Information Act when requesters have demonstrated that sufficient public interest exists to support such waivers." The Attorney General went on to state: Examples of requesters who should ordinarily receive consideration of partial fee waivers, at minimum, would be representatives of the news media or public interest organizations, and historical researchers. *Such waivers should extend to both search and copying fees, and in appropriate cases, complete rather than partial waivers should be granted.*

III. ALTERNATIVELY, THE AGENCY SHOULD EXERCISE ITS DISCRETION TO GRANT A FEE WAIVER.

Although I am entitled to a waiver of fees under 32 C.F.R. 1900.13(b)(2), even if I were not entitled to fees under that provision the agency should grant me a fee waiver in the exercise of its discretion. Pursuant to 32 C.F.R. 1900.13(b)(1), "as a matter of administrative discretion, the interest of the United States Government would be served." The agency should exercise its discretion here to award a fee waiver because release of the documents would be in the interest of the United States Government for the reasons stated above.

IV. CONCLUSION.

As demonstrated above, the disclosure of the requested records will significantly contribute to expanded public understanding of government operations. I have the intent and ability to disseminate this significant expansion of public understanding of government operations. The public interest in this significant expansion of public understanding of government operations far outweighs any commercial interest of my own in the requested release. Accordingly, my fee waiver request amply satisfies the rules of 32 C.F.R. 1900.13(b). Legislative history and judicial authority emphatically support this determination. For these reasons, and based upon their extensive elaboration above, I request a full waiver of fees be granted. I will appeal any denial of my request for a waiver of fees, and I will take the issue to the courts if necessary.

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Please do not hesitate to contact me if you have any questions concerning this request.

Thank you. I appreciate your time[illegible]tion to this matter.

(b)(6)

Jason Leopold

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OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

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Leopold

RETURN RECEIPT
REQUESTED

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INFORMATION AND PRIVACY COORDINATOR
CENTRAL INTELLIGENCE AGENCY
WASHINGTON, DC 20505

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